

Appl. No.: 10/520,335
Amdt. Dated: February 5, 2009
Reply to Office action of: September 15, 2008

Amendment to the Drawings

The attached "replacement sheet" of drawings includes formalized Fig. 1.

The replacement sheet replaces the originally filed sheet including Fig. 1.

REMARKS/ARGUMENTS

The application has been carefully reviewed in light of the Office Action and amended as necessary to more clearly and particularly describe the subject matter that Applicant regards as the invention.

A replacement drawing sheet is submitted herewith to overcome the examiner's objection under 37 CFR 1.121 (d).

Claim 1 has been objected to. The claim has been amended to call for "an acoustic support member." This recitation is in keeping with the claim language originally presented.

Claim 1-3 were rejected under 35 USC 103 (a) as being unpatentable over Henderson in view of Scott.

Claim 1 has been amended to state that the wall structure is defined by first and second parallel wall sheeting. Henderson's wall sheeting is linearly aligned and coplanar. Applicant claims that at least one central stud is disposed between the parallel wall sheeting, while, in Henderson the studs are located between coplanar sheets. According to claim 1, the acoustic support members are located between the central support member and the wall sheeting. This is not so in Henderson.

The examiner cites Scott for disclosing a composite stud, and apparently considers the central stud member as being a composite. Actually the composite comprises a central stud member, an acoustic support member and an outer stud member. To eliminate this confusion, claim 1 has been amended to call for "a composite and a wall structure comprising..."

Regarding claim 2, the claim now states that the flanges are directed toward each other, which should clear up the confusion noted by the examiner.

Since 2 and 3 depend from claim 1, they are allowable for the reasons set forth above.

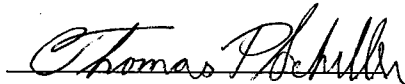
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For these reasons it is respectfully submitted that this application is allowable.

If there are any additional fees resulting from this communication, please charge same to
our Deposit Account No. 16-0820, Our Order No. PMAX-37319

Respectfully submitted

PEARNE & GORDON, LLP

A handwritten signature in cursive script, reading "Thomas P. Schiller".

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Date: February 5, 2009